

FILED

AUG - 3 2016

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. S1-4:16CR00124 CEJ(DDN)
)
EDDIE LEE REGANS,)
)
Defendant.)

SUPERSEDING INDICTMENT

COUNT 1

(Fraudulent Use of Access Devices)

The Grand Jury charges that:

A. Introduction

1. On January 22, 2010, Eddie Lee Regans, hereinafter referred to as "Regans," pled guilty to the felony offenses of aggravated identity theft and bank fraud stemming from his use of the names of others in order to open business accounts at various financial institutions throughout the St. Louis Metropolitan Area. Upon being released from an 84 month term of incarceration, Regans was ordered to submit to the supervision of the United States Probation Office for an additional five years. One of the terms of supervision prevented Regans from creating, managing, or operating any business entity without the written approval of the probation office.

2. Between on or about August 15, 2015 and continuing to on or about July 18, 2016, using the name Eddie Lee, Regans advertised himself as a contractor in a variety of ways. In one

method, Regans distributed flyers to customers at various home improvement stores and other retail establishments in the St. Louis Metropolitan Area. Regans also established an internet website and Yellow Pages entry in which he claimed to provide home repair and general contractor services through a company called All Rehab & Repair. In addition to All Rehab & Repair, Regans used the following names when advertising his business: Reasonable Quality Work; Repair and Rehab; All Rehab Repairs; and, Affordable Quality Works.

3. Between August 15, 2015 and continuing through July 15, 2016, Regans obtained prospective customers' identifying information by promising that his company would finance their home repairs. Believing Regans representations, R.L.W., M.A.C., D.T.H., D.L., and P.M. provided Regans with their names, dates of birth, social security numbers, and addresses. As Regans did not operate any company through which he could provide financing, he used the identifying information to open, and attempt to open, credit accounts at the home improvement stores Menards and Lowes. Rather than use the credit accounts for the benefits of the homeowners, Regans utilized the accounts to purchase items for his benefit. As a result, American Express, the financial institution through which the Lowes credit accounts are granted, and Capitol One, the financial institution through which the Menards credit accounts are issued, assumed the financial losses incurred by Regans or held the homeowners liable for Regans' purchases.

4. In November 2015, R.L.W. learned that Regans had charged approximately \$13,000.00 in merchandise to a Lowes credit card issued in her name and that of Affordable Quality. As Regans used an address other than that of R.L.W., R.L.W. was unaware of his fraudulent conduct until notified about the high balance by American Express. On November 29,

2015, R.L.W. confronted Regans regarding his conduct, and obtained a promissory note in which Regans, using the name "Eddie Lee," assumed full financial responsibility for the charges placed on the Lowes' card issued in R.L.W.'s name. As of the date of this pleading, Regans has not reimbursed R.L.W. or American Express for his fraudulent purchases.

5. In order to prolong the life of the credit accounts he was using, Regans submitted counterfeit and fraudulent checks to the credit issuers. By the time the credit issuers realized that the checks would not be honored, Regans had charged additional items to the credit accounts.

6. On or about June 7, 2016, Regans using the name "Eddie Lee" sought accreditation from the Better Business Bureau for his company All Rehab and Repair. Even though accreditation had not been given, Regans claimed on his website, in his internet Yellow Pages advertisement, and during meetings with prospective client's that his business, All Rehab and Repair, had an A+ rating from the consumer organization. However, after learning of customer complaints and Regans' business practices, on June 10, 2016, the Better Business Bureau published an alert warning consumers and businesses to avoid doing business with Regans and All Rehab and Repair.

7. As a result of Regans conduct, R.L.W., American Express, and Capital One Bank have experienced financial losses exceeding \$89,000.00 between August 15, 2015 and June 29, 2016.

B. Between on or about September 28, 2015 and continuing to on or about November 29, 2015, in the Eastern District of Missouri, the defendant,

EDDIE LEE REGANS

in a matter affecting interstate commerce, did knowingly and with intent to defraud use, and attempt to use, unauthorized access devices, that is: account numbers issued to R.L.W., to obtain, and attempt to obtain, merchandise and services with an aggregate value exceeding \$1,000.00, that being more than \$31,000.00.

In violation of Title 18, United States Code, Sections 1029(a)(2) and (b)(1).

COUNT 2

(Fraudulent Use of Access Devices)

The Grand Jury further charges that:

- A. The allegations set forth in paragraph A of Count 1 are restated and incorporated as if fully set forth herein.
- B. Between on or about December 1, 2015 and continuing to on or about February 16, 2016, in the Eastern District of Missouri, the defendant,

EDDIE LEE REGANS

in a matter affecting interstate commerce, did knowingly and with intent to defraud use, and attempt to use, unauthorized access devices, that is: an account number issued to M.A.C., to obtain, and attempt to obtain, merchandise and services with an aggregate value exceeding \$1,000.00, that being more than \$17,000.00.

In violation of Title 18, United States Code, Sections 1029(a)(2) and (b)(1)

COUNT 3

(Mail Fraud)

The Grand Jury further charges that:

A. The allegations set forth in paragraph A of Count 1 are restated and incorporated as if fully set forth herein.

B. **The Scheme to Defraud**

Beginning on or about October 1, 2015 and continuing through on or about June 1, 2016, in the Eastern District of Missouri and elsewhere, the defendant,

EDDIE REGANS,

devised, and intended to devise, a scheme and artifice to defraud individuals and financial institutions, by means of materially false and fraudulent pretenses, representations and promises that the individuals had authorized his use of their identities in order to obtain credit from the financial institutions, well knowing that such pretenses, representations and promises would be and were false and fraudulent when made.

1. It was part of the scheme and artifice to defraud that:
 - a. Defendant solicited customers for his fictitious business by passing out flyers in front of home improvement stores and other retail establishments in the St. Louis Metropolitan Area.
 - b. After providing quotes for various home repairs, defendant induced the prospective customers to provide their social security numbers and dates of birth in order for his company to finance the repairs.
 - c. Without the permission of the individuals, defendant used their identifying information to obtain credit accounts which established the individuals as the guarantors of any debts.

d. Defendant provided his fictitious company name, a deviation of his name, and an address associated with him to the credit issuer so that the credit card and billing statements would be mailed to him.

C. The Mailing

2. On or about October 1, 2015, in the Eastern District of Missouri, the defendant,

EDDIE LEE REGANS,

for the purpose of executing the above-described scheme to defraud, did knowingly cause to be deposited a letter, containing a credit card billing statement, which was sent and delivered by the United States Postal Service and a private and commercial interstate carrier from Thurmont, Maryland to Affordable Quality Work and R.W., 75 N. Oaks Plaza, Saint Louis, Missouri 63121-2911.

In violation of Title 18, United States Code, Section 1341.

COUNTS 4 THROUGH 9

(Aggravated Identity Theft)

The Grand Jury further charges that:

A. The allegations set forth in paragraph A of Count 1 are restated and incorporated as if fully set forth herein.

B. On or about the dates listed below, in the Eastern District of Missouri, the defendant,

EDDIE LEE REGANS,

did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person, to wit, name, date of birth, and social security number of the persons listed below, during and in relation to the commission of the felony offenses of: bank fraud, Title 18,

United States Code, Section 1344; use of unauthorized access devices, Title 18, United States Code, Section 1029(a)(2); effecting transactions with access devices issued to others, Title 18, United States Code, Section 1029(a)(5); social security fraud, Title 42, United States Code, Section 408(a)(7)(B); and, mail fraud, Title 18, United States Code, Section 1341,

<u>COUNT</u>	<u>DATE</u>	<u>IDENTITY</u>	<u>CREDIT ISSUER</u>
4	September 28, 2015	R.L.W.	Menards/Capitol One
5	October 9, 2015	R.L.W.	Lowes/American Express
6	December 4, 2015	M.A.C.	Menards/Capitol One
7	February 28, 2016	D.H.	Menards/Capitol One
8	May 24, 2016	D.L.	American Express
9	May 26, 2016	D.L.	Menards/Capitol One

All in violation of Title 18, United States Code, Section 1028A.

A TRUE BILL.

FOREPERSON

RICHARD G. CALLAHAN
United States Attorney

TRACY LYNN BERRY - 014753 TN
Assistant United States Attorney